

DETAILED ACTION

Summary

1. This is the Office Action in response to the communication filed on 12/07/2009.
2. Claims 1-33 and 35-43 are currently pending and have been fully considered.
3. The application is in condition for allowance.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorneys Richard Klein and George Huang on 09/27/2010.

The application has been amended as follows:

In the claims:

In claim 1: at line 13, between "a carbon source" and "the cathode compartment", "that flows into" is replaced by -- "connected to a gas/liquid contactor that is connected to" --;

Allowable Subject Matter

5. Claims 1-33 and 35-43 are allowed.

With respect to claim 1 and its dependent claims 2-15, 33 and 39-43, Nozik and Grantham are silent regarding a carbon source connected to a gas/liquid contact that is

connected to the cathode compartment inlet and a liquid/solid separator connected to the cathode compartment outlet as recited in the amended claim 1. Furthermore, unless the prior art is set to achieve the goal of sequestering CO₂ with C₆ or C₅ compounds to generate sugar as intended by current application, it would not have been obvious for one with ordinary skill in the art to connect the cathode compartment inlet with a carbon source and connecting the cathode compartment outlet with a liquid/solid separator because the device of Nozik is mainly used for generating oxygen and hydrogen from water molecules. Therefore, the prior art does not disclose nor render obvious the limitation requiring the cathode compartment inlet to be connected to a gas/liquid contactor that is connected to a carbon source and a liquid/solid separator connected to the cathode compartment outlet.

With respect to claim 19 and its dependent claims 16-32 and 35-38, the claims are allowed for the same reason stated in the Office Action mailed on 07/09/2008.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BACH T. DINH whose telephone number is (571)270-5118. The examiner can normally be reached on Monday-Friday EST 7:00 A.M-3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on (571)272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nam X Nguyen/
Supervisory Patent Examiner, Art Unit 1753

BD
09/27/2010